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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/580,909 | 05/30/2006 | Tadashi Sao | DK-US040366 | 6843 |
| 22919 7590 10/22/2008 GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680 | | | | |
| EXAMINER | | | | |
| ALL MOHAMMAD M | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3744 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/580,909

Applicant(s)

SAO ET AL.

Examiner

MOHAMMAD M. ALI

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 10/02/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 -14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kishomoto Kazuyuki (hereinafter Kazuyuki) (JP 2003-262435 A) in view of Tamura (JP 2002-276970 A) . Kazuyuki discloses a branching pipe joint comprising a substantially Y-pipe shaped branch part (22) comprising an inlet pipe part (see the part between 22 and 23) through which a refrigerant flows in from a main pipe, and a first outlet pipe part (27) and a second outlet pipe part (32) through which flows the refrigerant along a first direction, which is a flow direction of the refrigerant that flows through the inlet pipe part, and along the first direction in paths substantially symmetric to a centerline of said inlet pipe part (22); a first branch nozzle part (28) connected to the first outlet pipe part and extending along the first direction; a second branch nozzle part (33) connected to said second outlet pipe part (32) and extending along said first direction; and a first branch pipe (13) that is a pipe member, wherein one end part is connected to a tip part of said first branch nozzle (28) during plumbing work, and that is bent so that the other end part faces a direction that intersects said first direction in a state connected to said first

branch nozzle part, wherein, the first branch nozzle part (28) and the second branch nozzle part (33) are disposed so that the spacing (S) between the portion of the tip part of said first branch nozzle part nearest the second branch nozzle (33) part side and the portion of the second branch nozzle part (33) nearest the tip part of said first branch nozzle part (28) is a small space. Kazuyuki discloses the invention substantially as claimed as stated above except insulation. Tamura teaches the use of thermal insulation material 7 applied on the branch nozzle parts 8 in for a particular length portion as seen in Fig. 2 in refrigeration piping system for the purpose of insulating the pipes to protect thermal energy loss. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the branching pipe of Kazuyuki in view of Tamura such that insulation could be provided in order to insulate the branch nozzle pipe to protect heat energy loss. Further, Kazuki discloses the invention substantially as claimed as stated above except the spacing between the portion of the second branch nozzle part nearest the tip part of the first branch nozzle part is less than or equal to 40 mm. See Fig.1, 2 and 4 and enclosed translation. The general concept of sizing or determining a spacing between the portion of the second branch nozzle part nearest the tip part of the first branch nozzle part to be less than or equal to 40 mm falls within the realm of common knowledge as obvious mechanical expedient and this is illustrated by Kazuyuki which teaches the side by side parallel connecting of pipes 28 and 29 from a common connector 23 where the pipes are fitted closely each other. In addition pipe 28 has a tip in its one end. Further to mention the space being 40 mm or less one ordinary skill of art has enough obvious

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scope to maintain the space of 40 mm or less. Regarding claim 2 braze joint is common feature in joining refrigerant pipe. Regarding claim 3-5 the feature 6 is the second reducer pipe connection part in which pipe diameter changes. Regarding claim 6 for plurality of outdoor units as Kazuyuki disclose indoor units 1 in Fig. 1 is an obvious duplication of a single outdoor unit. Again plural outdoor units is known feature in the art and ordinary skilled in the art would be able to obviously connect the plural outdoor unit with Kazuyuki. Regarding pipe diameter changing in steps is a known feature in the art and it can be obviously implemented by an ordinary skill of art since there is no criticality or unexpected result from it.

Response to Arguments

Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD M. ALI whose telephone number is (571)272-4806. The examiner can normally be reached on maxiflex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on 571-272-4808. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad M Ali/
Primary Examiner, Art Unit 3744